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**From:** CN=Craig Matthiessen/OU=DC/O=USEPA/C=US

**Sent:** Fri 1/18/2013 1:21:11 PM

**Subject:** FYI - GOP Faults Delayed EPA Fracking Study  
[a Jan. 17 letter to EPA Administrator Lisa Jackson](#)  
[prospective case studies](#)

From Inside EPA:

GOP Faults Delayed EPA Fracking Study

Posted: January 17, 2013

Republican senators are criticizing EPA for again delaying its draft study linking groundwater contamination in Wyoming to hydraulic fracturing fluids, saying the agency's decision to extend a public comment deadline allows critics to cite the 2011 draft report to push for strict new regulations.

EPA's delay "allows the Agency's unsubstantiated claims to remain unchecked" by allowing the draft report to remain in the public domain, Sens. David Vitter (R-LA), ranking member on the Senate Committee on Environment & Public Works and James Inhofe (R-OK) say in a Jan. 17 letter to EPA Administrator Lisa Jackson.

The senators are also warning that the delay and other problems with EPA's Wyoming study raises doubts about the rigor of the agency's broader study of potential drinking water impacts related to fracking.

EPA in a Jan. 11 Federal Register notice extended the public comment period to Sept. 30 for its draft report, "Investigation of Ground Water Contamination near Pavillion, Wyoming" which the agency released Dec. 8, 2011. The draft report represents the first time the agency has publicly acknowledged that groundwater contamination of an aquifer was "likely" due to fracking chemicals.

Industry and Republican lawmakers have widely charged that the study is flawed, citing a host of concerns including that EPA's sampling methodology could have contributed to the contamination, that the agency ignored data showing evidence that contaminants were naturally occurring, and that the findings relied on data sets that are too narrow to support the draft conclusions.

In the Jan. 17 letter, the lawmakers reiterate previous criticisms of the draft report, which they say the agency has failed to address. "In light of the flawed process and lack of proper scientific analysis in EPA's initial draft report, along with the agency's continued mismanagement of the investigation, how can a credible final product possibly be salvaged?" they say.

Vitter and Inhofe also suggest that the draft Pavillion report raises questions about the agency's methodology for its larger, congressionally directed study seeking to examine the potential impacts of fracking on drinking water, saying "how can Congress and the public have any confidence in the results of this ongoing study?"

EPA Dec. 21 released an interim version of its broader study. While final results are slated for 2014, the interim report says the agency will not be completing two case studies to assess potential groundwater contamination at new fracking sites until after the broader study is completed.

Environmentalists have charged that the prospective case studies are needed because, as EPA said in the Pavillion draft report, cases like the Wyoming study highlight the need for baseline water quality data to better track whether fracking contributes to groundwater pollution.

An industry-funded analysis of the fracking study's scope, conducted by contractor Battelle and published in November 2011, said that a lack of baseline data in some of the retrospective case studies EPA had planned for sites where contamination had already occurred would be "likely to limit the scientific validity and usefulness of case study findings and may result in incorrect or flawed conclusions."

A spokesman for Encana, the energy company that drills near Pavillion, has already criticized the delay, saying in a Jan. 11 statement that, as the third extension to the comment deadline, the announcement is disappointing and a "disservice not only to Encana, but to the people of Pavillion and the state of Wyoming."